



IFW

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q87626

Kaoru OKAKURA, et al.

Appln. No.: 10/533,310

Group Art Unit: 1646

Confirmation No.: 2360

Examiner: Iqbal Hossain Chowdhury

Filed: April 29, 2005

January 27, 2006

For: NOVEL CELLULASE RESISTANT TO SURFACTANT

**RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction and Election of Species Requirement dated December 29, 2005, Applicant elects Group I, claims 1 - 5, 10 and 11, drawn to an isolated polypeptide cellulase and a composition containing the same, for examination. This election is made without traverse.

The Examiner has further asserted that the application contains claims directed to three (3) distinct species, and the Examiner has required the Applicant to elect a single disclosed species for purpose of the initial examination.

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT  
U.S. Application No.: 10/533,310  
Attorney Docket No.: Q87626

In response to the election of species requirement, Applicant elects Species (A). protein SEQ ID NO: 3 or nucleic acid encoding SEQ ID NO: 3; claims 1 - 2 and 6 - 21 are readable thereon.

The Examiner has also noted (at pages 5 - 6) that the restriction requirement makes restriction between product claims and process claims, and Applicant appreciates that the Examiner has recognized the possibility of rejoinder of the process claims under the provisions of MPEP 821.04.

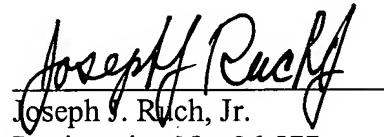
Applicant submits that if any of the elected claims are found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

Applicant also reserves the right to file a Divisional Application directed to any non-elected claims that might not be rejoinder.

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENT  
U.S. Application No.: 10/533,310  
Attorney Docket No.: Q87626

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

  
\_\_\_\_\_  
Joseph J. Ruch, Jr.  
Registration No. 26,577

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE  
**23373**  
CUSTOMER NUMBER

Date: January 27, 2006